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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,598	02/14/2007	Jarmo Smahl	46401-018US1	4973

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OCCHIUTI ROHLICEK & TSAO, LLP  
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EXAMINER
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HEWITT, JAMES M

ART UNIT	PAPER NUMBER
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3679

NOTIFICATION DATE	DELIVERY MODE
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12/01/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

INFO@ORTPATENT.COM

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,598	<b>Applicant(s)</b> SMAHL, JARMO	
	<b>Examiner</b> JAMES M. HEWITT	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/10/07, 7/31/06</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

In [0004], the reference to claim 1 should be removed.

Appropriate correction is required.

### ***Claim Objections***

Claims 1-20 are objected to because of the following informalities:

Claim 1 is objected to under 37 CFR 1.75(i), which states "Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation."

Claim 10 is objected to under 37 CFR 1.75(i), which states "Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation."

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jungblut (US 2,793,884)

With respect to claim 10, Jungblut discloses a pipe fitting as shown in Fig. 5, intended to act as a connection piece to join at least two mounting elements, and at least one end of which comprises a thread for connecting the pipe fitting and the mounting element to each other by means of a threaded connection, characterized in that wherein the thread is arranged at a distance from the end of the pipe fitting in such a manner that the end of the pipe fitting comprises an unthreaded section acting as a guide surface. Jungblut fails to teach that the pipe fitting is made of plastic. Nevertheless, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make Jungblut's fitting of plastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

With respect to claim 11, Jungblut discloses a pipe fitting as claimed in claim 10, wherein the ratio of the length of the unthreaded section to the diameter of the pipe fitting is greater than 1:6. Refer to Fig. 5.

With respect to claim 12, Jungblut discloses a pipe fitting as claimed in claim 10, characterized in that wherein the ratio of the length of the unthreaded section to the diameter of the pipe fitting is greater than 1:4. Refer to Fig. 5.

Claims 1-9 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jungblut (US 2,793,884) in view of Gehring (US 3,856,065).

With respect to claim 1, Jungblut discloses a pipe fitting as shown in Fig. 5, intended to act as a connection piece to join at least two mounting elements, at least one end of which comprises a thread for connecting the pipe fitting and the mounting element to each other by means of a threaded connection. Jungblut fails to teach protrusions on the bottom of a groove between the ridges of the thread. Gehring teaches a connection fitting comprising threads, wherein protrusions (18) are formed at the bottom of a groove between the ridges of the thread. These protrusions engage a workpiece (or mounting element) so that the material thereof is pressed into interference with the protrusions in order to increase backout torque of the fitting. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Jungblut to have protrusions on the bottom of a groove between the ridges of the thread in order to increase backout torque of the fitting. Jungblut fails to teach that the pipe fitting is made of plastic. Nevertheless, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make Jungblut's fitting of plastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

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With respect to claim 2, Jungblut/Gehring discloses a pipe fitting as claimed in claim 1, characterized in that wherein the height of the protrusions is 10 to 50% of the height of the ridge. Refer to FIGS. 2 and 3 in Gehring.

With respect to claim 3, Jungblut/Gehring discloses a pipe fitting as claimed in claim 1, wherein at the starting end of the thread the bottom of the groove does not comprise protrusions at least at the distance of one pitch.

With respect to claim 4, Jungblut/Gehring discloses a pipe fitting as claimed in claim 1, wherein the protrusions are arranged in the successive grooves in such a manner that the protrusions form ribs. Refer to FIGS. 2 and 3 in Gehring.

With respect to claim 5, Jungblut/Gehring discloses a pipe fitting as claimed in claim 4, wherein the protrusions are arranged in the same line with each other in the axial direction such that they form axial ribs. Refer to FIGS. 2 and 3 in Gehring.

With respect to claim 6, Jungblut/Gehring discloses a pipe fitting as claimed in claim 1, characterized in that wherein the thread is arranged at a distance from the end of the pipe fitting in such a manner that the end of the pipe section comprises an unthreaded section acting as a guide surface. Refer to Fig. 5 in Jungblut.

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With respect to claim 7, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 6, wherein the ratio of the length of the unthreaded section to the diameter of the pipe fitting is greater than 1:6. Refer to Fig. 5 in Jungblut.

With respect to claim 8, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 1, characterized in that wherein there are 2 to 24 protrusions at one point around the circumference of the pipe fitting.

With respect to claim 9, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 1, wherein the upper surface of the protrusion is straight. Refer to FIG. 2 in Gehring. Note also that the protuberances will be smoothed out when installed.

With respect to claim 13, Jungblutt discloses a pipe fitting as claimed in claim 10, except that on the bottom of a groove between ridges of the thread there are protrusions. Gehring teaches a connection fitting comprising threads, wherein protrusions (18) are formed at the bottom of a groove between the ridges of the thread. These protrusions engage a workpiece (or mounting element) so that the material thereof is pressed into interference with the protrusions in order to increase backout torque of the fitting. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Jungblutt to have protrusions on the bottom of a groove between the ridges of the thread in order to increase backout torque of the fitting.

With respect to claim 14, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 13, wherein at the starting end of the thread the bottom of the groove does not comprise protrusions at least at the distance of one pitch. Refer to Gehring.

With respect to claim 15, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 13, wherein the protrusions are arranged in the successive grooves in such a manner that the protrusions form ribs. Refer to Gehring.

With respect to claim 16, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 15, wherein the protrusions are arranged in the same line with each other in the axial direction such that they form axial ribs. Refer to Gehring.

With respect to claim 17, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 2, wherein at the starting end of the thread the bottom of the groove does not comprise protrusions at least at the distance of one pitch. Refer to Gehring.

With respect to claim 18, Jungblutt discloses a pipe fitting as claimed in claim 10, except that on the bottom of a groove between ridges of the thread there are protrusions. Gehring teaches a connection fitting comprising threads, wherein protrusions (18) are formed at the bottom of a groove between the ridges of the thread. These protrusions engage a workpiece (or mounting element) so that the material



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thereof is pressed into interference with the protrusions in order to increase backout torque of the fitting. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Jungblutt to have protrusions on the bottom of a groove between the ridges of the thread in order to increase backout torque of the fitting.

With respect to claim 19, Jungblutt discloses a pipe fitting as claimed in claim 10, except that on the bottom of a groove between ridges of the thread there are protrusions. Gehring teaches a connection fitting comprising threads, wherein protrusions (18) are formed at the bottom of a groove between the ridges of the thread. These protrusions engage a workpiece (or mounting element) so that the material thereof is pressed into interference with the protrusions in order to increase backout torque of the fitting. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Jungblutt to have protrusions on the bottom of a groove between the ridges of the thread in order to increase backout torque of the fitting.

With respect to claim 20, Jungblutt/Gehring discloses a pipe fitting as claimed in claim 14, wherein the protrusions are arranged in the successive grooves in such a manner that the protrusions form ribs. Refer to Gehring.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached ***Notice of References Cited***.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES M. HEWITT whose telephone number is (571)272-7084. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James M Hewitt/  
Primary Examiner, Art Unit 3679

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